

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:) CASE NO: 11-41155-659 Chapter 13
MARK ALAN PATTERSON)
) Trustee's Objection to Confirmation
MELINDA J PATTERSON)
) Original confirmation hearing
Debtor(s)) set for Mar 31, 2011 11:00 AM

TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN

COMES NOW John V. LaBarge, Jr., Standing Chapter 13 Trustee, and for his objection to confirmation states as follows:

1. Per schedules I and J, monthly expenses exceed monthly income such that debtor is not able to make plan payments. 11 U.S.C. Section 1325(a)(6). If debtor does make plan payments, schedules I and J must be significantly incorrect and should be amended.
2. The plan is ambiguous or incapable of ascertainment (11 U.S.C. Secs. 1321 & 1325(a)(3)) because:
Schedule F lists 14 debts with \$0 balances, but claims have been filed for some of these debts and the AB Credit Union debt scheduled for \$33,517 was filed as \$235,476. It is not clear if Debtors are below 109(e) debt limits.
3. A. Trustee requires a copy of the settlement with Business Bank regarding the corporate debt. B. Schedule I incorrectly lists second mortgage debt payment as income.
C. Re #1 above, with the Schedule I error adjusted, monthly expenses exceed monthly income by \$582, not including plan payment.

WHEREFORE the Trustee prays the Court enter its order denying confirmation of the proposed plan.

/s/ John V. LaBarge, Jr.

DSD-351

Copy served on the following either
through the Court's ECF system or by
ordinary mail on April 7, 2011

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